

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

JOHN PIEPER,

Petitioner,

vs.

ROB JEFFREYS,

Respondent.

8:23CV9

MEMORANDUM AND ORDER

Pursuant to the Court's September 1, 2023 Memorandum and Order, the deadline for Respondent's motion for summary judgment or state court records in support of an answer was stayed until the Eighth Circuit's resolution of Petitioner's motion for permission to file a successive habeas petition. [Filing No. 23](#). The motion having been resolved by the Eighth Circuit, see [Filing No. 33](#); [Filing No. 34](#), the previously stayed deadlines may be set.

IT IS THEREFORE ORDERED:

1. Respondent shall have until **January 16, 2024** to file a motion for summary judgment or state court records in support of an answer. If Respondent elects to file an answer, it shall be filed no later than 30 after the state court record is filed in accordance with the deadlines set forth in the Court's June 16, 2023 Memorandum and Order.

2. The Clerk's Office is directed to set the following pro se case management deadlines:

- a. **January 16, 2024:** deadline for Respondent to file state court records in support of an answer or motion for summary judgment.
- b. **February 15, 2024:** check for Respondent's answer and separate brief.

Dated this 14th day of December, 2023.

BY THE COURT:

A handwritten signature in black ink, appearing to read "J F Bataillon". The signature is stylized with a large initial "J" and a long horizontal stroke extending to the right.

Joseph F. Bataillon
Senior United States District Court